

APPROVED: Meeting No. 08-94

ATTEST: *Paula Jewell*

MAYOR AND COUNCIL
ROCKVILLE, MARYLAND
Meeting No. 03-94

January 24, 1994

The Mayor and Council of Rockville, Maryland, convened in General Session in the Council Chamber, Rockville City Hall, 111 Maryland Avenue, Rockville, Maryland, on January 24, 1994, at 7:30 p.m.

PRESENT

Mayor James F. Coyle

Councilmember Robert E. Dorsey

Councilmember Rose G. Krasnow

Councilmember James T. Marrinan

Councilmember Nina A. Weisbroth

In attendance: City Manager Bruce Romer, City Clerk Paula Jewell and City Attorney Paul Glasgow.

Re: City Manager's Report

1. Mr. Romer recommended that Consent Agenda Item 7(B) be taken off the agenda. He said that the design of Fleet Street was a high priority project and bids had been taken for the project on January 19th; however inclement weather conditions which closed City Hall last week and prevented the preparation of an adequate staff report.

2. Regarding Consent Agenda Item 7(D), Mr. Romer said staff had looked at the 1970 documentation regarding the abandonment of the Old Ritchie Parkway and would pass the materials onto the Mayor and Council.

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3. As has been the practice for the past 6 years, Mr. Romer said he scheduled a budget issues worksession to take place on Monday, February 7th at 7:30 p.m. A small number of policy level issues would be submitted for discussion and the Mayor and Council's guidance.

4. The January 23, 1994 issue of the Washington Post Sunday Magazine carried a story on refuse in the Washington Metropolitan region. The author of the article featured the City of Rockville and a photograph showing two of the City's refuse workers at the Gude Drive location. The article also mentioned the City's Wellness Program--whereupon Public Works employees take part in morning exercises.

Re: Presentation of Certificates
of Appreciation to major
donors to the City's 1993
Holiday Drive.

The Mayor and Council presented certificates of appreciation to individuals and organizations who provided direct financial contributions or toys and clothing through the family sponsorship program. A total of \$19,096 was raised for the 1993 Rockville Holiday Drive. These certificates recognized the individuals and organizations who contributed \$200 or more to the Holiday Drive.

Re: Citizens Forum

1. Winston Lark, Commissioner, Senior Citizens Commission said he recently attended a seniors meeting at a local hospital and said he was pleased to share information about the senior organizations and activities provided in the City of Rockville. Mr. Lark thanked the Mayor and Council and the City for supporting Rockville's senior citizens.

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Re: Appointments

Upon motion of Councilmember Marrinan, duly seconded and unanimously passed, Gayle Byrne was appointed to serve as Chair of the Animal Matters Board and John Maher was appointed to serve as a Commissioner on the Animal Matters Board.

Upon motion of Councilmember Dorsey, duly seconded and unanimously passed, Ruth Anne Jaure was appointed to serve on the Housing Authority Board of Commissioners.

Re: Approval of Minutes

Meeting No. 01-94 (January 10, 1994)

Councilmember Marrinan noted the following amendment to be inserted in paragraph 3 of page 4:

"... inappropriate for the type of facility the County needed based on a study commissioned by the County in the early 1980's; he said..."

Upon motion of Councilmember Weisbroth, duly seconded and unanimously passed, the Minutes of Meeting No. 01-94 (January 10, 1994) were approved as amended.

Re: Consent Agenda

Councilmember Krasnow requested removal of Consent Items A and D. Upon motion of Councilmember Weisbroth, duly seconded and unanimously passed, Consent Agenda Item C was approved:

- C. Introduction of Ordinance to grant Text Amendment Application T-139-93, Rockville Planning Commission, Applicant.

Amendment to the Zoning Ordinance so as to eliminate convents, monasteries, parish houses and parsonages as permitted uses in residential zones, and provide for such facilities as accessory uses to a place of worship.

Re: (Item A) Award of Bid #16-94 to Creamer Brothers, Inc. of Hackensack, N.J. in the amount of \$446,812.50 and authorize the City Manager to execute a contract accordingly.

The Contractor will clean and line about two miles of water main and will replace a small water main at the Water Treatment Plant. The bid is within the funding provided.

Regarding Item A, Councilmember Krasnow asked for more information on the projects listed. She said it seemed to make sense to prevent deposits from forming on pipelines, and she questioned whether this type of project had been done in other areas of the City. Ms. Krasnow also questioned what type of inconvenience the project would cause to neighborhoods in the area of the water mains to be cleaned. Deputy Director of Public Works, Gerry Morningstar, responded that the project was a continuation of a program that had been underway for several years. Mr. Morningstar also explained that the Contractor would disconnect water meters to homes and businesses, lay temporary pipes and reconnect the meters. He said the inconveniences would be minor and notifications were sent to each individual home and business affected.

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Upon motion of Councilmember Krasnow, duly seconded and unanimously passed, Bid #16-94 was awarded to Creamer Brothers, Inc. in the amount of \$446,812.50.

Re: (Item D) Introduction of Ordinance to grant Application to Close and Abandon Public Way SCA-61-90, Dominic Antonelli, Jr., Applicant.

Abandonment of an unused portion of Ritchie Parkway right-of-way between Rockville Pike and Fleet Street.

Regarding Item D, Councilmember Krasnow said she could not get a sense from the map provided, which area of Old Ritchie Parkway was proposed for abandonment, and she expressed concern about the flow of traffic in the area once Fleet Street was extended.

Planning Chief, Larry Owens, explained that the area being abandoned was considered part of the shopping center. He said the portion would still function in the foreseeable future, as a private entrance into the Ritchie shopping center even after the public way has been abandoned.

Councilmember Krasnow asked that staff provide additional information from the prior public hearing on the Ritchie Center tenants' comments and concerns, as well as some detailed drawings of how the traffic would flow.

Councilmember Weisbroth commented that there were a number of older trees in the area under consideration. She asked how the easements for preserving existing trees would be handled and if the City's tree ordinance had any impact. Mr. Owens responded that the Planning

Commission was also concerned that the street trees remain, if possible, in the future development or expansion of the Center. He said it was not mandatory that the trees remain; however, if they had to be removed, they would be replaced under the City's tree ordinance.

Councilmember Krasnow asked that Hungerford-Stoneridge residents be notified that the abandonment proposal was back before the Mayor and Council. Councilmember Weisbroth requested that the Minutes from earlier Planning Commission hearings be provided when the Ordinance came back for adoption. Councilmember Dorsey asked that staff provide clarification on the definition of "abandonment".

Upon motion of Councilmember Krasnow, duly seconded and unanimously passed, the Ordinance was introduced.

Re: Approval of Contract to sell land to the State Highway Administration (SHA) of the Maryland Department of Transportation.

The attached Option Contract was negotiated with the SHA for sale of City owned land needed by the State for improvement of Maryland Route 28.

Real Estate Specialist Bernie Fitzgerald explained that SHA made an offer to purchase property owned by the City for \$6,275 in order to widen Route 28 west of I-270 and to extend Key West Boulevard southward to intersect with Route 28.

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Councilmember Krasnow questioned whether SHA would have to acquire other easements for the widening of Route 28. Mr. Fitzgerald responded that there was another piece of property in the vicinity of Hurley Avenue and Watts Branch which was tied up with land use covenants, however, it was not part of the Option Contract. Councilmember Krasnow also commented that the purchase price seemed low in comparison to other similar properties. Mr. Fitzgerald explained that the land which was partially wetlands, was not part of any subdivision parcel and had no use except as open space. He said that SHA had an appraisal made which was reviewed by staff, and the evaluation of \$0.83 per square foot was a fair price.

Ms. Krasnow questioned the timing of the project and whether the widening construction would affect Cambridge Heights. Mr. Fitzgerald responded that the project would go out to bid and it would be 3-4 months before the bid was assessed. He noted that construction may begin this year and would probably span over two seasons because of the complicated nature of the widening project. Mr. Fitzgerald also noted that there would be no effect on either the City's property or any other adjacent property.

Upon motion of Councilmember Marrinan, duly seconded and unanimously passed, approval of the contract to sell land to State Highway was granted.

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Re: FYI/Correspondence

1. Councilmember Krasnow said she was impressed with and appreciated the College Gardens Garden Club member's donation of \$1.00 each towards the City's purchase of the land in the Upper Branch Woods.

2. Mayor Coyle remarked on the recent business site visit to VITRO Corporation; he said he was glad to see that VITRO would remain in Rockville and expand the number of employees in the City.

Re: New Business

1. Councilmember Krasnow thanked the Public Works staff in getting the roads cleared during the recent snow and ice storms.

2. Councilmember Dorsey acknowledged Helen Roberto and asked her to remark on the End Violence Now campaign. Ms. Roberto talked about the Campaign's goals for ending violence and noted that Rockville's Chamber of Commerce had signed onto the Campaign. On behalf of the co-founders of the Purple Ribbon Campaign, Ms. Roberto invited the community to help end violence now.

3. Mayor Coyle asked that Mr. Romer check into whether the County had addressed the issue regarding the control of towing companies and towing fees.

4. Mayor Coyle noted that on January 23rd, Surgeon General Joycelyn Elders spoke about family and social issues at the Rockville Methodist Church's 150th Anniversary. He asked that the City Clerk send Ms. Elders a letter thanking her for coming to the City.

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5. The Mayor and Council reached consensus to hold a Worksession on January 31, 1994 at 7:30 p.m., to meet with members of the Advisory Commission on Public Education and then to convene into Executive Session on a personnel issue immediately following the Worksession.

Re: Next Meeting

The Mayor and Council will meet in Worksession and Executive Session on January 31, 1994; in Worksession on Monday, February 7, 1994 to discuss budget issues; and in General Session on February 14, 1994.

Re: Adjournment

There being no further business to come before the Mayor and Council, the meeting was adjourned at 8:35 p.m., to convene again in Worksession at 7:30 p.m. on January 31, 1994, or at the call of the Mayor.